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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL PORTIONS OF
THEIR RESPONSE TO WAYMO'S
OBJECTIONS TO EVIDENCE
CITED IN DEFENDANTS' SUR-
REPLY**

Trial Date: October 2, 2017

1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,
 2 Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for
 3 an order to file under seal the confidential, unredacted versions of the following documents:

4 1. Portions of Defendants’ Response to Waymo’s Objections to Evidence Cited in
 5 Defendants’ Preliminary Injunction Sur-Reply (“Defendants’ Response”).

6 2. Portions of Exhibit A to the Declaration of Esther Chang in Support of Defendants’
 7 Response (“Chang Declaration”).

8 3. Portions of Defendants’ Response contain Defendants’ proprietary technical and
 9 business information. The design of Uber’s custom LiDAR system and certain business details
 10 are proprietary and highly confidential, maintained as confidential by Uber, and, if made public,
 11 would cause Uber irreparable harm in this very competitive space of autonomous driving. These
 12 portions are highlighted in blue. (Yang Decl. ¶ 2.)

13 4. Portions of Defendants’ Response and Exhibit A to the Chang Declaration contain
 14 information that Plaintiff Waymo LLC has designated “Confidential” or “Highly Confidential –
 15 Attorneys’ Eyes Only” in accordance with the Patent Local Rule 2-2 Interim Model Protective
 16 Order (“Protective Order”), which the parties have agreed govern this case (Transcript of
 17 3/16/2017 Hearing, page 6). Although Defendants disagree that this information is confidential,
 18 Defendants file this instant motion to comply with Paragraph 14.4 of the Protective Order. These
 19 portions are highlighted in green. (Yang Decl. ¶ 3.)

20 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
 21 documents at issue, with accompanying chamber copies.

22 Defendants served Waymo with this Administrative Motion to File Documents Under
 23 Seal on May 5, 2017.

24 For the foregoing reasons, Defendants request that the Court enter the accompanying
 25 Proposed Order granting Defendants’ Administrative Motion to File Documents Under Seal and
 26 designate the service copies of these documents as “HIGHLY CONFIDENTIAL –
 27 ATTORNEYS’ EYES ONLY.”
 28

1 Dated: May 5, 2017

MORRISON & FOERSTER LLP

2 By: /s/Michael A. Jacobs

3 MICHAEL A. JACOBS

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5 UBER TECHNOLOGIES, INC.
6 and OTTOMOTTO LLC
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